REMARKS/ARGUMENTS

This is in response to the non-compliant or non-responsive notice of 6-17-010 and responsive to non-final action of 12/24/2009 after a discussion between the undersigned applicant's attorney and Examiner Umar Cheema on July 7, 2010.

Then it was agreed that the cleanest presentation of the new claims to be examined for reconsideration in this application would be the cancellation of the original 11 claims, without prejudice, and the addition of these new claims 12 through 26.

Now, the response filed in March, 2010, included an IDS incorporating the information from the International Search Report of the PCT-EPO Office in 2006 which was filed under section 1.97 together with authorization of the fee under section 1.17)b) as a 609.07 e-IDS herewith. Any particular relevant parts of a reference identified in the International Search Report itself which is uploaded as a document filed as part of the IDS is deeded the relevant section of the reference, and in addition to any part specified in particular in that report all parts of the reference should be considered.

The claims have been added as new now recite a statutory **digital computer managed system having an internal control system to provide for Stateful Web Services.**

This application is a network having <u>multiple autonomic Correlation Services monitoring and controlling part of an overall managed system</u>. It is important, though, that the single Correlation Services do not work isolated from each other, but

are connected so an overall management policy can be enforced over the overall distributed system which **employs a Correlation Engine (174, 175) and a set of rules (184,185,196) that describe how underlying resources (61-66) shall be managed**. Single Correlation Services can consume both events issued from the actual managed resources and events issued by other Correlation Services. For the latter, Correlation Services can inspect other Correlation Services to find out what kind of events they distribute. This way, we propose to form a hierarchical management system consisting of multiple interconnected Correlation Services.

Thus the claim 12 includes the feature that the system **employs a Correlation Engine (174, 175) and a set of rules (184,185,196) that describe how underlying resources (61-66) shall be managed in accordance with** the management policy for the overall distributed system which is described as a Correlation Model (preferably in XML). A Controller component interprets this overall model and dynamically and automatically creates the corresponding Correlation Services and initializes them with their respective rules. The Controller further establishes the correct relationships between Correlation Services and also automatically creates registration of managed resources with an event monitoring infrastructure. That is, the user does not have to administer or configure any of the single Correlation Services but just has to provide one Correlation Model (which can be in the form of XML).

US06336139 patent is a primary reference and describes correlation agents that can be deployed in a distributed computing environment for monitoring and controlling the computing resources. In that way, this is similar to what we are describing. However, the undersigned

attorney could not find a description that those correlation agents themselves are organized in a way as to fulfill an overall management goal for the complete distributed system. The single correlation agents of the US06336139 reference may be argued to manage part of an overall infrastructure, but these agents are not really independent from each other, and therefore not enforcing an overall policy.

It is mentioned in the US06336139 patent that a set of rules engines are connected to each other for event filtering and situation detection. This is however, basic event correlation technology within one of said correlation agents. In this application it is acknowledged that such event detection is included in the prior art, and but this technology is only used as a building block of the Correlation Services which were created here as described in the application. In addition to the fact the prior US06336139 patent does not state that correlation agents form an interlocked network for enforcing a larger-scale management policy, the prior US06336139 patent also does not disclose the notion of an overall Correlation Model for the overall system as described in this application. Consequently, there is also no means disclosed in US06336139 for automatically creating the right number of correlation agent instances with the right configuration based on the overall Correlation Model. Therefore, neither of the claimed individual advance made in this application are suggested by the primary reference US06336139.

US06690778 is added by the examiner as an additional citation for one of ordinary skill to consider after the developments of US06336139. This secondary US06690778 patent describes a system for automatically routing requests to the best resources (agent) for processing a request, which is completely in contrast to

any event processing system. No one of ordinary skill would consider combining the teaching of US06690778 with the primary reference. The US06690778 described system has knowledge of all registered agents, along with metrics and uses this knowledge to route requests to those agents based on characteristics of the request. A typical event processing system, however, relies on the single event consumers to pick their appropriate events automatically, and multiple consumers can pick the same events, which is completely different from assigning items of work to a specific agent. Therefore, US06690778 would not even be considered by one of ordinary skill in the art but for the prior teaching of this application and the specific application sought to be used by the Examiner in this application. Thus the combination is not appropriate and reconsideration of the rejection under 35USC103 is.

Furthermore, in this application a managed system of interlocked Correlation Services is described that autonomously communicate based on a publish-subscribe mechanism, and here in this application as claimed there is the notion of a Correlation Model interpreted by a Controller component which results in the automatic creation of the appropriate Correlation Services and the relationships between them.

In any case, from reading that two patents it only obvious that the combination suggested by the rejection using US06336139 and US06690778 is completely misplaced because technically the combination would not apply. As each claim, including the dependent claims, is believed to describe patentable subject matter, it is important to review each of the claims in light of the absence of the features claimed, all in combination. Combination of references which do not work together does not anticipate or make obvious the claim combinations. Review of the changes made by this

amendment to better present the claims is requested, and allowance requested.

As the application is believed to be ready for issuance, as these further changes should result in an allowance notice which is now respectfully requested.

Respectfully Submitted,
 For the Inventor(s):

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